

§ 168.01

- 168.10 Responsibilities.
- 168.20 Applicable vessels.
- 168.30 Applicable cargoes.
- 168.40 Applicable waters and number of escort vessels.
- 168.50 Performance and operational requirements.
- 168.60 Pre-escort conference.

AUTHORITY: Section 4116(c), Pub. L. 101-380, 104 Stat. 520 (46 U.S.C. 3703 note).

SOURCE: CGD 91-202, 59 FR 42968, Aug. 19, 1994, unless otherwise noted.

§ 168.01 Purpose.

(a) This part prescribes regulations in accordance with section 4116(c) of the Oil Pollution Act of 1990 (OPA 90) (Pub. L. 101-380). The regulations will reduce the risk of oil spills from laden, single hull tankers over 5,000 GT by requiring that these tankers be escorted by at least two suitable escort vessels. The escort vessels will be immediately available to influence the tankers' speed and course in the event of a steering or propulsion equipment failure, thereby reducing the possibility of groundings or collisions.

(b) The regulations in this part establish minimum escort vessel requirements. Nothing in these regulations should be construed as relieving the master of a tanker from the duty to operate the vessel in a safe and prudent manner, taking into account the navigational constraints of the waterways to be traversed, other vessel traffic, and anticipated weather, tide, and sea conditions, which may require reduced speeds, greater assistance from escort vessels, or other operational precautions.

§ 168.05 Definitions.

As used in this part—

Disabled tanker means a tanker experiencing a loss of propulsion or steering control.

Escort transit means that portion of the tanker's voyage through waters where escort vessels are required.

Escort vessel means any vessel that is assigned and dedicated to a tanker during the escort transit, and that is fendered and outfitted with towing gear as appropriate for its role in an emergency response to a disabled tanker.

Laden means transporting in bulk any quantity of applicable cargo, ex-

33 CFR Ch. I (7-1-00 Edition)

cept for clingage and residue in otherwise empty cargo tanks.

Single hull tanker means any self-propelled tank vessel that is not constructed with both double bottom and double sides in accordance with the provisions of 33 CFR 157.10d.

Tanker master means the licensed on-board person in charge of the tanker.

Tanker owner or operator means the owner or shoreside organization (individual, corporation, partnership, or association), including a demise charterer, responsible for the overall management and operation of the tanker.

§ 168.10 Responsibilities.

(a) The tanker owner or operator shall:

(1) select escort vessels that can meet the performance requirements of this part; and

(2) inform the tanker master of the performance capabilities of the selected escort vessels. This information must be provided to the master before beginning the escort transit.

(b) The tanker master shall operate the tanker within the performance capabilities of the escort vessels, taking into account speed, sea and weather conditions, navigational considerations, and other factors that may change or arise during the escort transit.

(c) In an emergency, the tanker master may deviate from the requirements of this part to the extent necessary to avoid endangering persons, property, or the environment, but shall immediately report the deviation to the cognizant Coast Guard Captain of the Port (COTP).

§ 168.20 Applicable vessels.

The requirements of this part apply to laden, single hull tankers of 5,000 gross tons or more.

§ 168.30 Applicable cargoes.

The requirements of this part apply to any petroleum oil listed in 46 CFR Table 30.25-1 as a pollution category I cargo.